IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.21851 of 1995

Between:

1 Garigipati Venkateshwar Rao, S/o. Narayana Rao,
R/o. Mandapakala, koduru (M),
Krishna Dist.
2 Kadavakollu Narasimham, S/o. Rama Sastrulu,
R/o. Pothumeda Hamlet of Mandapakala (v), Koduru (M),
Krishna Dist.
3 Kondaveti Subba Rao, S/o. Krishna,
Mandapakala (v), Koduru (M),
Krishna Dist.
4 Gade Dharma Rao, S/o. Bapi Reddy,
Mandapakala (v), Koduru (M),
Krishna Dist.

..... PETITIONERS

AND

1 Government of A.P. rep. by its Secretary,
Agrl. & Coopn. Department, Secretariat,
Hyderabad.
2 Commissioner for Coopn. & Registrar of Coop. Societies,
A.P., Gruhakalpa, Hyderabad-1.
3 District Collector / Election Authority,
Machilipatnam, Krishna District.
4 Election Officer, Mandapakala Primary Agrl. Coop. Society Ltd.,

Regd.No. H.5622, Mandapakala, Koduru (M), Krishna Dist.
5 The Mandapakala Primary Agrl. Coop. Society Ltd., rep. by its Paid

Secretary. Regd.No. H 5622, Mandapakala (V), Koduru (M),
Krishna Dist.,
6 Managing Committee of the Mandapakala Primary Agrl. Coop. Society

Ltd., Reg.No. H. 5622, Mandapakala,
Koduru (M), Krishna Dist. rep. by its President.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly in the nature of Writ of Mandamus declaring: (i) Rule 22(1)(b) and 22(4)(a)(v) of the A.P. Co-op. Societies Rules as ultra vires to Sections 30, 31, 32 and 34 of the A.P. Co-op. Societies Act and hence liable to be struck down; (ii) Rule 22(3)(b)(i) & (c) of the A.P. Coop. Societies Rules as arbitrary, violative of the provisions of the A.P. Coop. Societies Act besides being violative of the cardinal principles of natural justice and hence liable to be struck down. (iii) the election Notification, dt. 15-7-1995 issued by the 4th Respondent herein (i.e.) Election Officer, Mandapakala Primary Agrl. Coop. Society Ltd., Reg.No. H 5622, Mandapakala, Koduru (M), Krishna District as illegal, arbitrary, violative of the provisions of the A.P. Coop. Societies Act and Rules framed there under and consequently set aside all further proceedings pursuant to the said election Notification dt.
15-7-1995 including the elections to the managing Committee of the Mandapakala Primary Agrl.Coop. Society Ltd., Mandapakala (i.e.) 5th Respondent/society represented by 6th Respondent as null and void.

Counsel for the Petitioners: MR.D.V.BHADRAM (Not present)

Counsel for the Respondents: MR.B.GOPAL KRISHNA RAO

The Court made the following :

ORDER:

As there was no representation on behalf of the petitioners on 06.10.2004, the matter was directed to be listed today for dismissal. Today also when the matter is called, none appeared for the petitioners, nor there is any representation.

Hence, the Writ Petition is dismissed for non-prosecution. No costs.

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(N.V. RAMANA, J)

Date: 07.10.2004

Nsr

To

1 The Secretary, Agrl. & Coop. Department, Government of A.P.

Secretariat, Hyderabad.
2 The Commissioner for Coop. & Registrar of Coop. Societies,
A.P., Gruhakalpa, Hyderabad-1.
3 The District Collector / Election Authority,
Machilipatnam, Krishna District.
4 The Election Officer, Mandapakala Primary Agrl. Coop. Society Ltd.,

Regd.No. H.5622, Mandapakala, Koduru (M), Krishna Dist.
5 The Paid Secretary, Mandapakala Primary Agrl. Coop. Society Ltd.,

Regd.No. H 5622, Mandapakala (V), Koduru (M),
Krishna Dist.,
6 The President, Managing Committee of the Mandapakala Primary Agrl.

Coop. Society Ltd., Reg.No. H. 5622, Mandapakala,
Koduru (M), Krishna Dist.

7 Two CD copies.